

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
ACTING ON BEHALF OF THE GOVERNING BOARD OF THE  
BANNING UNIFIED SCHOOL DISTRICT

In the Matter of the Reduction in Force  
Proceeding Involving:

OAH No. 2012030949

CERTAIN CERTIFICATED EMPLOYEES  
OF THE BANNING UNIFIED SCHOOL  
DISTRICT WHO RECEIVED  
PRELIMINARY LAYOFF NOTICES FOR  
THE 2012-2013 SCHOOL YEAR,

Respondents.

PROPOSED DECISION

James Ahler, Administrative Law Judge, Office of Administrative Hearings, State of California, heard this matter in Banning, California, on April 23, 2012.

William A. Diedrich and John W. Dietrich, Atkinson, Andelson, Loya, Ruud & Romo, represented the Banning Unified School District.

Carlos R. Perez, Reich, Adell & Cvitan, represented the respondents appearing at the reduction in force proceeding.

The matter was submitted on April 23, 2012.

FACTUAL FINDINGS

*The Banning Unified School District*

1. The Banning Unified School District serves approximately 4,500 kindergarten through 12<sup>th</sup> grade students who reside in a 300-square mile area along the I-10 corridor between Beaumont and Palm Springs. It encompasses the City of Banning, Cabazon, Whitewater, Poppet Flats, and the Morongo Indian Reservation. The District maintains four elementary schools, one intermediate school, one middle school, one comprehensive high school, and one continuation high school. It employs approximately 500 persons, about 250 of whom are certificated employees.

Approximately 24 percent of the students within the District are English Language Learners. About 87 percent of the student body is eligible to participate in the hot lunch program.

The District has a projected budget of approximately \$35 million for the 2012-2013 school year, for which a \$5.8 million deficit is projected. More than 85 percent of the District's budget pays employee salaries and benefits.

2. The District is governed by an elected five-member Board of Education. Lynne B. Kennedy, Ph.D., is the District Superintendent and the Board's Chief Executive Officer. Gordon Fisher is an Assistant Superintendent of Schools and is the Acting Assistant Superintendent of Human Resources. Febe Lorio is a school secretary who is assigned to the Human Resources.

### *The Fiscal Crisis*

3. Public schools rely on financing from the State of California. A school district cannot determine the level of state funding it will receive until the state budget is chaptered, an event that is supposed to occur each year in late June. Before then, a school district's governing board, which has the duty to produce a balanced budget and to file that budget with the County Department of Education, must take steps to ensure that financial ends will meet if the worst-case financial scenario develops.

California's recent economic problems have had a crippling impact on the Banning Unified School District and other public school districts. If the District fails to meet its financial obligations, the County Office of Education has the right to intervene and take over the District's operations.

The District's total shortfall for 2012-2013 school year is projected to be \$5.8 million. The District must maintain reserves of at least three percent of general fund expenditures, which is the bare legal minimum; in fact, maintaining a three percent reserve is inadequate because a reserve in that amount would not cover the district's payroll for one month.

### *The District's Response*

4. In response to the anticipated budgetary shortfall for the 2012-2013 school year, District administrators reviewed services and staffing. Two and a half administrative positions were eliminated, and the pay scale of assistant superintendents was reduced. Furlough days were instituted. "Flexible dollars" from special funding were reassigned. In addition, it was recommended that particular kinds of services be reduced or eliminated.

5. On March 13, 2012, following Superintendent Kennedy's staffing recommendations, the Governing Board adopted Amended Resolution No. 11-12-36. It provides:

WHEREAS, the Board of Education of the Banning Unified School District has determined that it is in the best interests of the District and the welfare of the schools and the pupils thereof that the particular kinds of services set forth herein must be reduced or discontinued due to financial conditions; and

WHEREAS, it is the opinion of the Board that because of the aforementioned reason, the number of certificated employees of the District must be reduced; and

WHEREAS, this reduction is not based upon a reduction of average daily attendance during the past two years; and

WHEREAS, this Board has determined that due to a significant population of English language learners with specialized educational needs, a specific and compelling need exists to retain certificated employees who teach in the District's bilingual dual immersion program and also possess the special training and experience that is necessary for that assignment; and

WHEREAS, the needs of the District and the students thereof cannot be adequately served by laying off teachers who possess special training and/or experience to teach bilingual dual immersion program classes; and

WHEREAS, Education Code section 44955(d) authorizes this Board to deviate from terminating a certificated employee in order of seniority for the above reasons, if necessary.

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Banning Unified School District as follows:

A. That the particular kinds of services set forth below be reduced or eliminated commencing in the 2012-2013 school year:

Gate/Literacy Specialist Services	1.0	F.T.E.
High School English/Language Arts Teaching Services	2.2	F.T.E.
Middle School Science Teaching Services 1.0 F.T.E.	1.0	F.T.E.
Middle School Math Teaching Services	2.0	F.T.E.
Middle School Social Science Teaching Services	3.6	F.T.E.
Middle School English/Language Arts Teaching Services	2.8	F.T.E.

High School Spanish Teaching Services	1.0	F.T.E.
Intermediate School Dean	1.0	F.T.E.
Independent Study Teaching Services	1.0	F.T.E.
Coordinator of Student Support Services	1.0	F.T.E.
Subtotal	48.8	F.T.E.
<b>Temporary services as follows:</b>		
Elementary (K-6) Classroom Teaching Services	4.0	F.T.E.
Middle School Yearbook Teaching Services	0.2	F.T.E.
Middle School Core Teaching Services	1.8	F.T.E.
Middle School Science Teaching Services	1.0	F.T.E.
Middle School Math Teaching Services	1.0	F.T.E.
High School Spanish Teaching Services	1.0	F.T.E.
High School Math Teaching Services	2.0	F.T.E.
High School French Teaching Services	0.6	F.T.E.
High School Social Science Teaching Services	0.2	F.T.E.
Subtotal	11.8	F.T.E.
<b>Total</b>	<b>60.6</b>	<b>F.T.E.</b>

\* Inclusion of temporary services within this Resolution is not intended to grant those individuals who are impacted any rights greater than provided by law, nor to nullify any provisions within each impacted individual's employment contract, nor to supersede any other Resolution by this Governing Board to release or otherwise terminate the services of any impacted individual.

B. That due to the reduction or elimination of particular kinds of services, the corresponding number of certificated employees of the District shall be terminated pursuant to Education Code section 44955.

C. That, except as indicated hereinabove, the reduction of certificated staff be achieved by the termination of regular employees and not by terminating temporary and substitute employees.

D. That “competency” as described in Education Code sections 44955(b), 44956, and 44957 for the purposes of bumping and reemployment shall necessarily include: (1) possession of a valid credential in the relevant subject matter area; (2) “highly qualified” status under the No Child Left Behind act in the

position into which the employee is bumping/being reemployed;  
(3) an appropriate EL authorization (if required by the position);  
and (4) in order to bump or be reemployed as a Dual Immersion  
teacher, a Dual Enrollment teacher or a Geographic Information  
Systems (GIS) teacher, possession of the requisite  
qualifications, education, special training, and experience  
necessary to meet the job requirements of those positions.

E. That, as between certificated employees with the same  
seniority date, the order of termination shall be determined  
solely by Board-adopted criteria.

F. That the District Superintendent or designee is directed to  
initiate layoff procedures and give appropriate notice pursuant  
to Education Code sections 44955 and 44949.

PASSED AND ADOPTED this 13th day of March, 2012, in the  
County of Riverside, California.

#### *The Particular Kinds of Services*

6. The kinds of services identified in Resolution No. 11-12-36 (Amended) were the kinds of services that could be reduced lawfully under the Education Code. The Governing Board's adoption of Resolution No. 11-12-36 (Amended) was neither arbitrary nor capricious; its adoption was well within the Governing Board's discretion; no particular kind of service was lowered to a level below that mandated by state or federal law. The enactment of Resolution No. 11-12-36 (Amended) related solely to the economic crisis and the Governing Board's duty to balance the budget.

#### *The District's Seniority List*

7. The District maintains a seniority list, a constantly evolving document that is updated as new certificated employees are hired and as other employees retire, resign, or otherwise become separated from service. The seniority list is a spreadsheet that is organized from the District's most senior certificated employee to the most recently hired certificated employee. The list contains each employee's seniority number, name, site where services are provided, current assignment, specific assignment information, seniority date (the employee's first paid date of probationary service), status (tenured or probationary), credentialing information, credential notes, the kind of English Learner (EL) authorization the employee holds, and bumping notes.

#### *Tie-Breaking*

8. Many employees hold the same first paid date of probationary service. In some instances, the ranking of employees with the first paid date of probationary service is

required to determine the employee to whom a layoff notice must be given. Ranking these employees requires the application of various “tie-breaking” criteria.

On March 1, 2012, the Governing Board adopted Resolution No. 11-12-32, which provided criteria to be used to resolve ties in seniority related to certificated layoffs. The enactment of the resolution was in accordance with Education Code section 44966, subdivision (b), and Education Code section 44846. Resolution No. 11-12-32 was based upon the needs of the District and its students. The criteria set forth in the resolution were to be applied in order, one step at a time, until the tie was broken. The criteria were:

1. Highly Qualified Status under NCLB in area of assignment.
2. Possession of a non-emergency authorization to teach English Language Learners in order of priority:
  - a. Bilingual Cross Cultural Language and Academic Development (BCLAD)
  - b. Cross Cultural Language and Academic Development (CLAD), SB 1969 or SB 395 Certificate, Language Development Specialist Certificate, Supplemental Authorization for English as a Second Language, Specially Designated Academic Instruction in English (SDAIE), other.
3. Credential status in area of assignment, in order of priority:
  - a. Clear, Life, Standard Secondary, etc.
  - b. Preliminary
  - c. Intern
  - d. Provisional, STC, other
4. Possession of a Clear or Preliminary Single Subject credential in the following areas in order of priority:
  - a. Special Education
  - b. Math
  - c. Science
  - d. Social Studies
  - e. English
5. Possession of a supplemental authorization to teach in the following areas, in order of priority:
  - a. Math
  - b. Science
  - c. Social Science
  - d. English
6. Total number of Clear or Preliminary credentials in different subject areas.
7. Total number of supplementary authorizations in different subject areas.
8. Number of years of credentialed teaching experience prior to employment with the District, as indicated by initial salary schedule placement
9. Possession of a Doctorate Degree, earliest date prevails
10. Possession of a Masters Degree, earliest date prevails
11. Total number of post-secondary credits on file with the District.

12. If ties cannot be broken by using the above criteria then order of seniority shall be determined by a random drawing among employees in the individual tie.

### *The Issuance of Preliminary Layoff Notices*

9. Using the updated seniority list, Resolution No. 11-12-36 (Amended), and the tie-breaking criteria, Ms. Lorio and others identified those certificated employees who should receive preliminary layoff notices and those who should not.

Whenever an employee providing a particular kind of service that was being eliminated under Resolution No. 11-12-36 (Amended) was tentatively identified as being in line to receive a preliminary layoff notice, that employee's seniority, credentials, and "competence" (as defined by Resolution No. 11-12-36 (Amended)) were carefully examined to determine if that employee had the seniority, credentials, and competence to "bump" a junior employee and assume the more junior employee's position.

Precautionary notices were issued to teachers involved in the dual immersion program<sup>1</sup> in the event that the Board's attempt to "skip" those employees was not granted. The skipping of these employees was set forth Resolution No. 11-12-36 (Amended) because "the needs of the District and the students thereof cannot be adequately met by laying off teachers who possess special training and/or experience to teach bilingual dual immersion program classes.

Preliminary layoff notices were issued to the certificated employees whose employment the District staff identified as being subject to reduction or elimination as a result of Resolution No. 11-12-36 (Amended). Positive attrition, resulting from the retirement, resignation, or other causes, of a current teacher who was not subject to the layoff proceeding was taken into account.

10. Temporary teachers, none of whom were employed in a categorically funded program but who were instead, provided temporary or "backfill" services for permanent or

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<sup>1</sup> The District's 90:10 dual immersion program integrates language minority students (English learners) and language majority students (English speakers) in a classroom to develop bilingualism and biliteracy in English and another language. Under state law, parents of English learners must sign yearly waivers of consent prior to placement of their child in a two-way immersion program. Additionally, before enrollment in the program, California requires English learners (under ten years of age) to be placed in an English language classroom for 30 calendar days before placement. The first number in the 90:10 model refers to the amount of instructional time initially spent for instruction in the target or non-English language in kindergarten. The second number refers to English. In a 90:10 model, the amount of the target language decreases yearly as English increases until there is a 50:50 balance of the languages generally in grades four through six. Teachers providing educational services in the dual immersion program must hold a BCLAD certification.

probationary employees who were on leave, were given notices to enable them to protest the District's assignment of a "temporary" status. No temporary teacher protested his or her classification as a temporary employee.

### *The Administrative Hearing*

11. On April 23, 2012, the record in the reduction in force proceeding was opened. Jurisdictional documents were introduced. Luis Estrella, who was represented by Mr. Perez, was permitted to participate in the reduction in force proceeding. The caption was amended. An opening statement was presented on the District's behalf. Opening statements were not provided on behalf of respondents. Sworn testimony was taken; documentary evidence was received; Assistant Superintendent Fisher testified about the budgetary crisis and the layoff process, including skipping; Ms. Lorio testified about the seniority list, bumping, and the District's efforts to ensure that the most senior employees were retained to provide services for which they were credentialed and competent; a written stipulation to jurisdictional facts was filed; closing comments were given by counsel for respondents; the record was closed; and the matter was submitted.

12. Kathryn Kaiser's correct seniority date should be September 12, 2007, and the District should amend the seniority list to reflect that date. The correction of Ms. Kaiser's seniority date does not have any impact in this reduction in force proceeding.

13. The notices issued to employees Daniel Cobb and Lisa Kellars were withdrawn.

14. Lisa Kellars is a permanent employee, and the District should amend the seniority list to reflect her tenured status.

### *The Reduction in Force Proceeding*

15. The enactment of Resolution No. 11-12-36 (Amended) was the result of a budgetary crisis; it was enacted in good faith and was in the best interest of the District and its students. The District complied with all jurisdictional requirements. The District used seniority, credentials, and competence as the basis for "bumping" junior employees; the District had the right to skip dual immersion teachers who possessed BCLAD certifications over more senior employees who lacked the specialized training, skill and education to provide service in the dual immersion program; the District retained the services of senior, competent, and appropriately credentialed employees to provide services currently being provided by more junior employees; the District's tie-breaking criteria were applied in an appropriate and evenhanded manner; the application of those criteria was in the best interest of the District and its students.



## LEGAL CONCLUSIONS

### *Statutory Authority - Reduction in Force Proceedings*

1. Education Code section 44949 provides in part:

(a) No later than March 15 and before an employee is given notice by the governing board that his or her services will not be required for the ensuing year for the reasons specified in Section 44955, the governing board and the employee shall be given written notice by the superintendent of the district or his or her designee . . . that it has been recommended that the notice be given to the employee, and stating the reasons therefor.

[¶] . . . [¶]

(b) The employee may request a hearing to determine if there is cause for not reemploying him or her for the ensuing year. A request for a hearing shall be in writing and shall be delivered to the person who sent the notice pursuant to subdivision (a), on or before a date specified in that subdivision, which shall not be less than seven days after the date on which the notice is served upon the employee. If an employee fails to request a hearing on or before the date specified, his or her failure to do so shall constitute his or her waiver of his or her right to a hearing . . .

(c) In the event a hearing is requested by the employee, the proceeding shall be conducted and a decision made in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code and the governing board shall have all the power granted to an agency therein, except that all of the following shall apply:

(1) The respondent shall file his or her notice of defense, if any, within five days after service upon him or her of the accusation and he or she shall be notified of this five-day period for filing in the accusation.

(2) The discovery authorized by Section 11507.6 of the Government Code shall be available only if request is made therefor within 15 days after service of the accusation, and the notice required by Section 11505 of the Government Code shall so indicate.

(3) The hearing shall be conducted by an administrative law judge who shall prepare a proposed decision, containing findings of fact and a determination as to whether the charges sustained by the evidence are related to the welfare of the schools and the pupils thereof. The proposed decision shall be prepared for the governing board and shall contain a determination as to the sufficiency of the cause and a recommendation as to disposition. However, the governing board shall make the final determination as to the sufficiency of the cause and disposition. None of the findings, recommendations, or determinations contained in the proposed decision prepared by the administrative law judge shall be binding on the governing board. Nonsubstantive procedural errors committed by the school district or governing board of the school district shall not constitute cause for dismissing the charges unless the errors are prejudicial errors. Copies of the proposed decision shall be submitted to the governing board and to the employee on or before May 7 of the year in which the proceeding is commenced. All expenses of the hearing, including the cost of the administrative law judge, shall be paid by the governing board from the district funds . . .

(d) Any notice or request shall be deemed sufficient when it is delivered in person to the employee to whom it is directed, or when it is deposited in the United States registered mail, postage prepaid and addressed to the last known address of the employee. . . .

(e) If after request for hearing pursuant to subdivision (b) any continuance is granted pursuant to Section 11524 of the Government Code, the dates prescribed in subdivision (c) which occur on or after the date of granting the continuance and the date prescribed in subdivision (c) of Section 44955 which occurs after the date of granting the continuance shall be extended for a period of time equal to the continuance.

2. Education Code section 44955 provides in part:

(a) No permanent employee shall be deprived of his or her position for causes other than those specified . . . and no probationary employee shall be deprived of his or her position for cause other than as specified . . .

(b) Whenever . . . a particular kind of service is to be reduced or discontinued not later than the beginning of the following school

year . . . and when in the opinion of the governing board of the district it shall have become necessary by reason of any of these conditions to decrease the number of permanent employees in the district, the governing board may terminate the services of not more than a corresponding percentage of the certificated employees of the district, permanent as well as probationary, at the close of the school year. Except as otherwise provided by statute, the services of no permanent employee may be terminated under the provisions of this section while any probationary employee, or any other employee with less seniority, is retained to render a service which said permanent employee is certificated and competent to render . . .

As between employees who first rendered paid service to the district on the same date, the governing board shall determine the order of termination solely on the basis of needs of the district and the students thereof. Upon the request of any employee whose order of termination is so determined, the governing board shall furnish in writing no later than five days prior to the commencement of the hearing held in accordance with Section 44949, a statement of the specific criteria used in determining the order of termination and the application of the criteria in ranking each employee relative to the other employees in the group. This requirement that the governing board provide, on request, a written statement of reasons for determining the order of termination shall not be interpreted to give affected employees any legal right or interest that would not exist without such a requirement.

(c) Notice of such termination of services shall be given before the 15th of May in the manner prescribed in Section 44949, and services of such employees shall be terminated in the inverse of the order in which they were employed, as determined by the board in accordance with the provisions of Sections 44844 and 44845. In the event that a permanent or probationary employee is not given the notices and a right to a hearing as provided for in Section 44949, he or she shall be deemed reemployed for the ensuing school year.

The governing board shall make assignments and reassignments in such a manner that employees shall be retained to render any service which their seniority and qualifications entitle them to render. However, prior to assigning or reassigning any certificated employee to teach a subject which he or she has not previously taught, and for which he or she does not have a

teaching credential or which is not within the employee's major area of postsecondary study or the equivalent thereof, the governing board shall require the employee to pass a subject matter competency test in the appropriate subject.

(d) Notwithstanding subdivision (b), a school district may deviate from terminating a certificated employee in order of seniority for either of the following reasons:

(1) The district demonstrates a specific need for personnel to teach a specific course or course of study, or to provide services authorized by a services credential with a specialization in either pupil personnel services or health for a school nurse, and that the certificated employee has special training and experience necessary to teach that course or course of study or to provide those services, which others with more seniority do not possess.

(2) For purposes of maintaining or achieving compliance with constitutional requirements related to equal protection of the laws.

### *Jurisdiction*

3. Jurisdiction in this matter exists under Education Code sections 44949 and 44955. All notices and jurisdictional requirements contained in those sections were satisfied as to all respondents.

### *The Reduction of Particular Kinds of Services*

4. A school board may determine whether a particular kind of service should be reduced or discontinued, and it cannot be concluded that the governing board acted unfairly or improperly simply because it made a decision it was empowered to make. (*Rutherford v. Board of Trustees* (1976) 64 Cal.App.3d 167, 174.) A school board's decision to reduce or discontinue a particular kind of service need not be tied in with any statistical computation. It is within the discretion of a school board to determine the amount by which it will reduce or discontinue a particular kind of service as long as the school district does not reduce a service below the level required by law. (*San Jose Teachers Assn. v. Allen* (1983) 144 Cal.App.3d 627, 635-636.)

### *Competence*

5. The Education Code leaves to a school board's discretion the determination of whether an employee must also be competent to be employed in a vacant position in addition to possessing seniority. The term "competent" relates to an individual's specific skills or qualifications, including academic background, training, credentials, and experience, but it

does not include evidence related to on-the-job performance. (*Forker v. Board of Trustees* (1984) 160 Cal.App.3d 13, 18-19.)

6. In this matter, the Board determined that competence included possession of a valid credential in the relevant subject matter; highly qualified NCLB status; an appropriate EL authorization; possession of requisite qualifications, education, special training, and experience to bump or be reemployed as a dual immersion teacher, a dual enrollment teacher, or a geographic information systems (GIS) teacher. These are valid criteria to determine “competence.”

### *Seniority, Bumping, Skipping*

7. Seniority: Under Education Code section 44845, seniority is determined by the date a certificated employee “first rendered paid service in a probationary position.”

8. Education Code section 44846 provides in part: “The governing board shall have power and it shall be its duty to correct any errors discovered from time to time in its records showing the order of employment.”

9. The Statutory Scheme: Education Code section 44955, the economic layoff statute, provides in subdivision (b), in part:

Except as otherwise provided by statute, the services of no permanent employee may be terminated under the provisions of this section while . . . any other employee with less seniority, is retained to render a service which said permanent employee is certificated and competent to render.

Essentially this statutory language provides “bumping” rights for senior certificated and competent employees, and “skipping” authority to retain junior employees who are certificated and competent to render services which more senior employees are not.

10. Bumping: The district has an obligation under Section 44955, subdivision (b), to determine whether any permanent employee whose employment is to be terminated in an economic layoff possesses the seniority and qualifications which would entitle him/her to be assigned to another position. (*Bledsoe v. Biggs Unified School Dist.* (2008) 170 Cal.App.4th 127, 136-137.)

11. Skipping: Subdivision (d)(1) of Section 44955 provides an exception to subdivision (b) where a district demonstrates specific need for personnel to teach a specific course of study and that a junior certificated employee has special training and experience necessary to teach that course that the senior certificated employee does not possess. (*Bledsoe v. Biggs Unified School Dist.*, *supra*, at pp. 134-135.) There is nothing in the statute that requires such special needs be evidenced by formal, written policies, course or job descriptions, or program requirements. (*Id.*, at p. 138.)

School districts have broad discretion in defining positions within the district and establishing requirements for employment. This discretion encompasses determining the training and experience necessary for particular positions. Similarly, school districts have the discretion to determine particular kinds of services that will be eliminated, even though a service continues to be performed or provided in a different manner by the district. (*Hildebrandt v. St. Helena Unified School Dist.* (2009) 172 Cal.App.4th 334, 343.)

*Cause Exists to Give Notice to Certain Employees*

12. As a result of the Governing Board's lawful reduction of particular kinds of service, cause exists under the Education Code for the District to give final notice to those respondents who are identified hereafter that their employment with the District will be terminated at the close of the current school year and that their services will not be needed by the district for the 2012-2013 school year.

*Determination*

13. The charges set forth in the Accusation were sustained by the preponderance of the evidence except as otherwise stated herein. The enactment of Resolution No. 11-12-36 (Amended) was related to the welfare of the District and its pupils, as was the enactment of Resolution No. 11-12-32. The District made necessary assignments and reassignments in such a manner that the most senior credentialed employees were retained to render services that their seniority and qualifications entitled them to provide.

## RECOMMENDATION

It is recommended that the Governing Board of the Banning Unified School District direct that the District's seniority list be amended to show that Kathryn Kaiser's seniority date is September 12, 2007.

It is recommended that the Governing Board of the Banning Unified School District direct that District's seniority list be amended to show that Lisa Kellars is a permanent employee.

It is recommended that the Governing Board of the Banning Unified School District direct that District withdraw the notices issued to Daniel Cobb and Lisa Kellars.

It is recommended that the Governing Board of the Banning Unified School District direct that the following temporary employees be released from their employment: Julie Baker; Jenifer Carbajal; Beatriz Diaz; Allison D'Spain; Cecilia A. Lopez; Robin Moore; Deborah Nelson; and Karl Sterbinsky, Jr.

It is recommended that the Governing Board of the Banning Unified School District issue final layoff notices to the following certificated employees: Stephen Adesina; Raymundo Alcala; Maria Almejo Vilte; Shara Andrade; Lisa Beasley; Amy Brandon;

Jacquelyn Bridges; Colette Burgess; Lauren Cochran; Marcia Cole Anderson; Natalie Crine; Kelly Daly; Stephanie Dodd; Susanna Duncan; Luis Estrella; Evelyn Galligani; Anthony Garcia; Sara Gilbert; Brittney Goodwin; Noel Inzunza; Richard Johnson; Kathryn Kaiser; Jeannine Kersavage; Kyle Kloncz; Natalee Manley; Jeffrey Martinez; Elizabeth Mayagoitia; Scott McRitchie; Danielle Miller; Melissa Ortega; Tabitha Ramsey; Sharon Rideau; Elizabeth Rodriguez-Ashton; Henry Romero; April Salas; Annabel Solis; Ronnie Stevens; Pakanueng Utrapiromsuk; Heather Warner; Melissa Wheeler

Dated: April 30, 2012

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JAMES AHLER  
Administrative Law Judge  
Office of Administrative Hearings